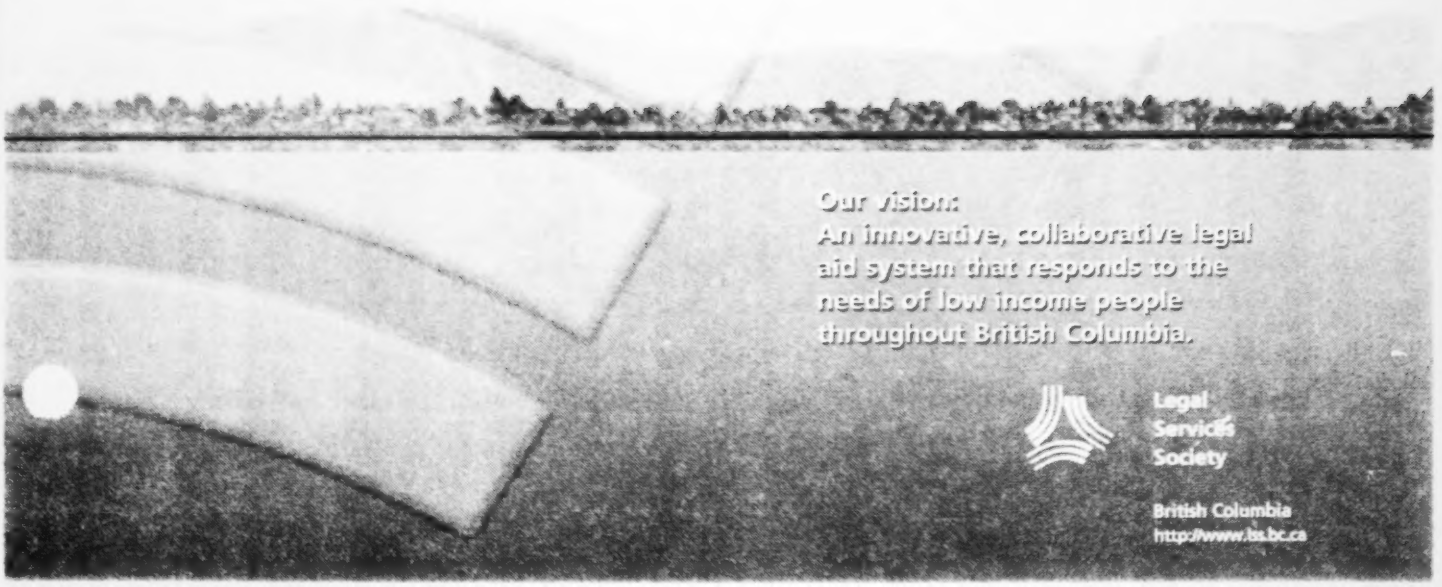
Legal Services Society

Service Plan
2003/2004 – 2005/2006


Our vision:
An innovative, collaborative legal aid system that responds to the needs of low income people throughout British Columbia.
Legal Services Society
British Columbia
http://www.lss.bc.ca

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Note: This document reflects the first stage of the Legal Services Society's strategic planning process. It is not a complete service plan. LSS will articulate its strategic issues, key strategies, and performance measures by March 2003.

Organization overview

Summary description

The Legal Services Society (LSS) is established by statute to provide legal aid services in British Columbia. While the provincial government is the society's primary funder, LSS remains independent of government and is mandated to serve the interests of individuals with low incomes.

The Legal Services Society Act (LSS Act) was substantially revised in 2002. Under the new Act, LSS is governed by a board of nine directors. Five directors are appointed by the provincial government, and four are appointed by the Law Society after consultation with the BC Branch of the Canadian Bar Association.

Provincial government funding has been set at $71.5 million for 2002/2003, $62.5 million for 2003/2004, and $54 million for 2004/2005. LSS also receives funding from the Law Foundation, the Notary Foundation, and, indirectly, the federal government.

Under the LSS Act, the society and the Ministry of Attorney General negotiate a memorandum of understanding (MOU) every three years. LSS determines the range of services to be provided within the framework of the MOU. This agreement addresses more than 90 percent of the services LSS provides.

The LSS Act, the MOU, and the society's strategic plan provide the foundation and focus for the Legal Services Society.

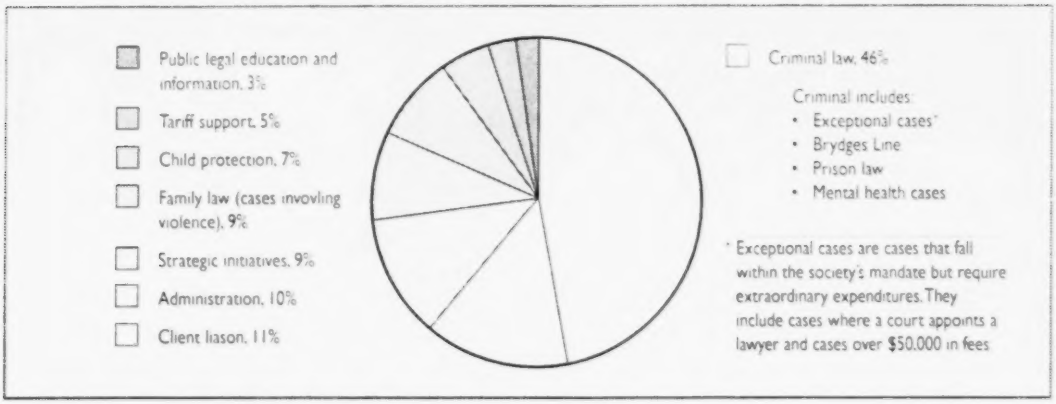
Over the coming year, the society plans to complete the transition to the new levels of funding; stabilize the new service delivery model; begin the process of improving service quality; improve and increase the coordination of services with other aspects of the justice system; pursue effective relationships with intermediaries in the community; initiate innovative pilot projects; and develop rigorous performance measures.

British Columbia has been recognized as a leader in the field of legal aid. LSS is committed to continuing this leadership role, despite the significant downsizing of the organization and the reduction to its funding.

Core services

The Legal Services Society is the key service provider in the legal aid system in British Columbia. In that role LSS provides a range of services targeted to individuals with low incomes and designed to help them resolve their legal problems. The services include information, education, advice, advocacy, and representation in various service areas. A breakdown of projected expenditures by service area as a percentage of revenue is provided in Figure 1.

Figure 1: Projected expenditures by service area as a percentage of revenue, 2005/2006


Public legal education and information, 3%
Tariff support, 5%
Child protection, 7%
Family law (cases involving violence), 9%
Strategic initiatives, 9%
Administration, 10%
Client liason, 11%
Criminal law, 46%
Criminal includes:
• Exceptional cases*
• Brydges Line
• Prison law
• Mental health cases
* Exceptional cases are cases that fall within the society's mandate but require extraordinary expenditures. They include cases where a court appoints a lawyer and cases over $50,000 in fees

LSS provides legal representation for financially eligible people who —

- are charged with a criminal offence and face jail, loss of livelihood, or deportation if found guilty;
- are victims of domestic violence and likely need a physical restraining order, have a child or children who are at risk and a supervised access order or restraining order is needed to protect them, or need a change to their current custody or access order to ensure their and/or their child(ren)'s safety;
- need a non-removal order to prevent their child(ren) from being permanently removed from the province;
- are parents and the Ministry of Children and Family Development has taken or is threatening to take their children away from them;
- face a refugee or deportation hearing (this service area is not currently funded beyond 2003);
- are involuntarily detained as a result of a mental disorder and are facing a Review Board or Review Panel hearing; or
- are prisoners in a provincial institution and are facing a proceeding for which representation is guaranteed under the Charter of Rights and Freedoms.

LSS runs the Brydges Line, a province-wide toll-free telephone service providing prompt access to legal advice for people who are arrested or detained, or who are under active investigation by the police or other law enforcement agencies but are not yet charged. The society also supplies a duty counsel program for individuals appearing in court.

The society offers a range of information services, including a province-wide toll-free telephone service called the Law Line, which answers questions and directs people to other information or services.

LSS also produces publications about various aspects of the law and makes these available at LSS regional centres and local agent offices, as well as public libraries, government libraries, and government agents' offices.

LSS supports a number of websites:

- The LSS website offers information about the society and its services, including legal aid; billing and other information for legal aid lawyers; legal information, including electronic publications about various aspects of the law; and links to other websites about the law in BC. (http://www.lss.bc.ca)
- The Family Law in British Columbia website is dedicated to helping people understand and use the law to resolve their family law problems. It is also designed as a resource for advocates helping friends or clients. This website includes information on family law matters (including a section on resolving family law problems), self-help materials, publications, and links to other organizations. (http://www.familylaw.lss.bc.ca).
- The LSS Electronic Law Library (ELL) provides easy access to reliable legal information for the general public. (http://www.bcpl.gov.bc.ca/ell)
- PovNet offers a searchable website for people on welfare, advocates, and community groups involved in anti-poverty work. It provides information on and links to resources on a variety of issues affecting the rights of people with low incomes. (http://www.povnet.org)

The new LSS service delivery model includes 7 regional centres, the toll-free call centre (Law Line), and service contracts with local agents in 22 communities and government agents in 56 communities.

Enabling legislation

The Legal Services Society Act provides the governance framework for the Legal Services Society and establishes its mandate to:

- help low income individuals resolve their legal problems and to facilitate access to justice for them,
- establish and administer an effective and efficient system for providing legal aid to low income people in BC, and
- provide advice about legal aid to the Attorney General.

In pursuing these objects, the society is to be guided by the following principles:

- identify and assess the legal needs of people with low incomes in BC,
- consider the perspectives of both the justice system service providers and the general public,
- coordinate legal aid with other aspects of the justice system and with community services, and
- be flexible and innovative in the provision of legal aid.

The LSS Act establishes that the society is not an agent of the government or the Law Society of British Columbia, that LSS must not incur liabilities that exceed its annual revenue without the approval of the Minister of Finance and the Attorney General, and that the amount of legal aid LSS provides to resolve a legal problem must not exceed the extent of legal services a reasonable person of modest means would employ to resolve the problem.

Strategic context

The provincial government funding to the Legal Services Society will drop from $88 million in 2001/2002 to $54 million in 2004/2005. To transition to this new level of funding, LSS has restructured its organization and realigned its services, which required eliminating major programs, discontinuing significant family services, and reducing office and agency staff by 74 percent. LSS is now a different organization and as a result must complete a new and fully integrated strategic and operational planning process.

In the initial stage of the planning process, LSS articulated its vision, mission, values, and strategic objectives (for strategic objectives, see next section).

LSS planning process

The LSS planning process has three principal outputs: a strategic plan, a service plan, and an operations plan.

The strategic plan is the responsibility of the LSS Board working with the executive director. The strategic plan will guide the organization into the future by providing the framework for taking action and focussing limited resources. The plan includes our mission, vision, values statement, and strategic objectives. This portion of the plan is now ready. Key strategies and performance measures will be developed by March 2003.

Vision

An innovative, collaborative legal aid system that responds to the needs of low income people throughout British Columbia.

Mission

To assist low income individuals to resolve their legal problems by providing a spectrum of services that promotes their effective participation in the justice system.

Values statement

Making a difference through leadership, respect, and working with others.

The LSS service plan is informed by the vision and strategic objectives articulated in the strategic plan. The service plan provides LSS with an explicit planning and measurement tool. Developing the service plan is the responsibility of the society's Executive Management Committee (EMC), which is comprised of the executive director and the three senior managers of the organization: the director of Field Operations and Human Resources; the director of Legal Information, Technology, and Communications; and the director of Finance and Corporate Services. Final approval of the service plan rests with the LSS Board.

The operations plan is a tactical plan that provides an internal blueprint for activities to be carried out over the next three years. This plan is the responsibility of the Operations Management Team (OMT), which includes managers from each division of LSS. The OMT manages the day-to-day operations of the society in accordance with the LSS Act and the society's mission statement, strategic goals, and policies. This group co-ordinates interdepartmental communications and initiatives, and forwards recommended policy changes to the EMC. The OMT also participates in the development of the LSS service plan and makes recommendations for the strategic plan.

LSS is now identifying the strategic issues and developing the key strategies and performance measures for each strategic objective.

Goals, objectives, key strategies, performance measures, and targets

To provide the direction needed over the longer term, LSS has identified eight strategic objectives. Key strategies, performance measures, and targets will be articulated by March 2003.

Strategic objectives

1

Develop and continually improve an integrated legal aid system that provides a range of high quality legal services that are responsive to the needs of low income individuals.

The core business of LSS is the delivery of a continuum of legal services that includes information, education, advice, advocacy, and representation. The measure of our success will be how well these services meet the legal needs of low income individuals.

2

Identify and assess the legal needs of low income individuals in British Columbia, and increase awareness of the services provided by LSS.

LSS can only achieve its mission if its services are designed to meet clients' real needs and if people with low incomes know about the services LSS provides.

3

Secure sufficient funding from diverse sources for LSS to fulfill its mandate and be accountable for the use of that funding.

To fulfill its mandate, LSS requires an adequate budget. The society will gain greater independence if its funding comes from different sources. It is reasonable to expect LSS to be accountable for how it uses its funding.

4

Develop and retain staff who work to their potential to meet the society's objectives, and expand the capacity of legal professionals and other service providers to assist low income individuals to resolve their legal problems.

LSS sees itself as the core organization in the British Columbia legal aid system. To be an effective leader, the society requires a dedicated, contented, and high-performing staff. To provide quality services, LSS must support the lawyers, advocates, and others in the community who are instrumental in service delivery.

5

Build and maintain relationships with communities to enhance our mutual ability to meet the needs of people with low incomes.

To meet its mandate, LSS needs to work with community service providers toward shared goals. The society will allocate time and resources to enhancing community relationships, an endeavour that will build on the strong foundation in the community that LSS has created over the years.

6

Have a presence in all regions of British Columbia through people and technology.

British Columbia's distinct regions present different challenges for meeting the needs of people with low incomes. To address these challenges, LSS will adopt two key strategies: ensuring some level of infrastructure in each region, and using information technology to deliver legal aid services.

Develop, implement, and evaluate innovative approaches to improve delivery of legal services.

LSS recognizes innovation as an important factor in improving service delivery. Pilot projects and an emphasis on sound program evaluation will be central to LSS service improvement initiatives.

Work with others for justice system reform, and, in doing so, advocate for the interests of low income individuals.

LSS has a responsibility to collaborate with others to effect justice reform. The society's perspective on justice reform issues will be informed by the legal needs of people with low incomes.

Building a solid foundation

In 2003/2004, LSS will focus on building a solid foundation for fulfilling its vision, mission, and strategic objectives. This will involve the following:

- Ensuring the new service delivery model is meeting LSS expectations
- Establishing effective governance within the framework of the new legislation
- Promoting an inspiring work environment with sound organizational policies and procedures
- Moving forward with service quality improvement initiatives
- Pursuing effective partnerships to better coordinate legal aid services
- Initiating pilot projects that include a rigorous evaluation component

Alignment with the government's strategic plan

The provincial government's commitment to the administration of justice in British Columbia is demonstrated in its strategic plan:

Provincial Government Goal 2 — A supportive social infrastructure

Objective C — British Columbia will have a fair and efficient system of justice

This government objective is further articulated in the vision statement of the Ministry of Attorney General, which begins:

> An accessible, responsive, accountable justice system that protects the rights of all citizens, offers a range of affordable, timely and fair ways to resolve disputes, and fosters confidence in the integrity, efficiency and effectiveness of the justice system.

Similarly, Goal 1 of the Ministry of Attorney General's service plan states:

> Laws and justice services are administered fairly, equitably, and efficiently to all British Columbians, while individual rights and judicial independence are protected.

LSS is a vital partner in ensuring that British Columbians have a fair and efficient system of justice. Every strategic objective of the society was formulated with the broader objective of a fair and efficient justice system. The LSS vision and mission, repeated below, demonstrate the society's commitment to achieving this objective through innovation, working with stakeholders, and assisting people with low incomes.

Legal Services Society Vision —

An innovative, collaborative legal aid system that responds to the needs of low income people throughout BC.

Legal Services Society Mission —

To assist low income individuals to resolve their legal problems by providing a spectrum of services that promotes their effective participation in the justice system.

LSS will continue to develop innovative and collaborative ways to deliver legal aid and legal information to British Columbians. As we move forward, LSS and the provincial government will be key partners in meeting mutual objectives.

Summary financial outlook

Legal Services Society summary financial outlook 2003/2004 - 2005/2006*

	2003/2004	2004/2005	2005/2006
Revenue			
Provincial grant — MOU	$ 63,265	$ 54,673	$ 54,673
Law Foundation grant	$ 3,273	$ 3,273	$ 3,273
Notary Foundation grant	$ 450	$ 450	$ 450
Other revenue	$ 400	$ 400	$ 400
Total revenue	**$ 67,388**	**$ 58,796**	**$ 58,796**
Expenses			
Contracted representation and support	$ 46,028	$ 39,622	$ 39,254
Other expenses	$ 16,843	$ 19,174	$ 19,542
Total expenses	**$ 62,871**	**$ 58,796**	**$ 58,796**
Surplus (Deficit)	**$ 4,517**	**$ 0**	**$ 0**

* All amounts in thousands of dollars

Key assumptions

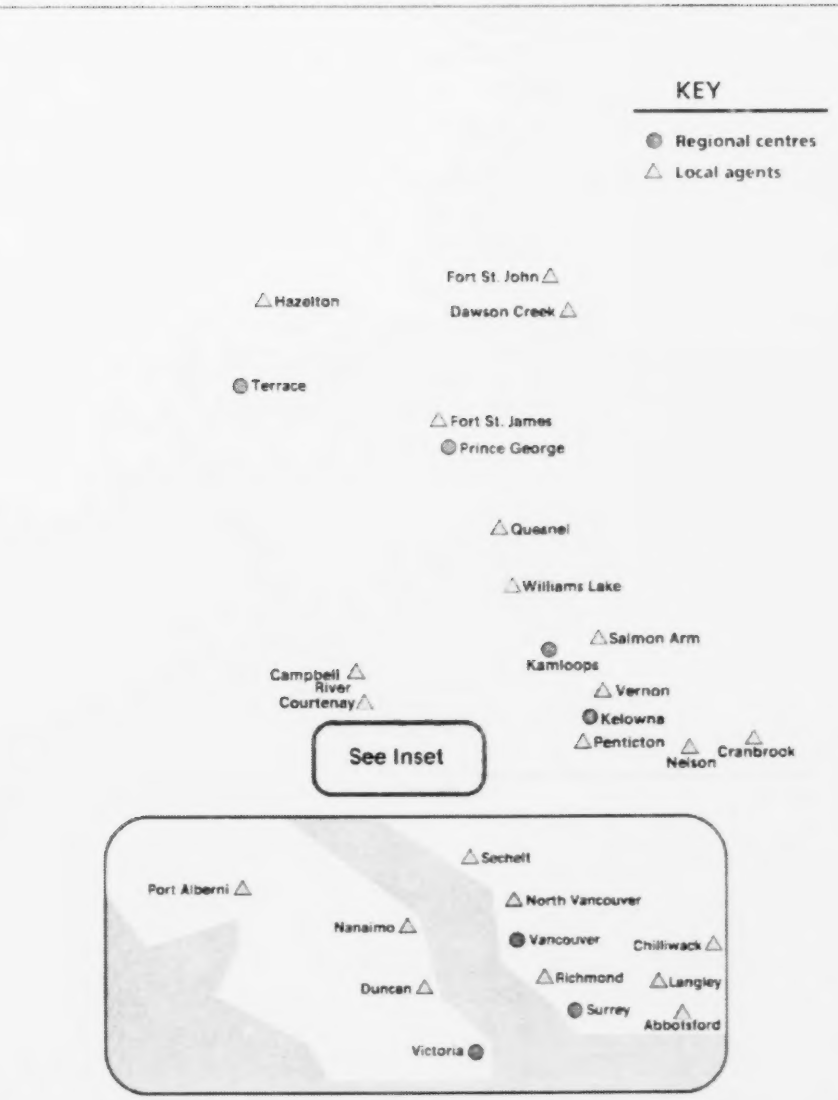
- Based on Ministry of Attorney General representations regarding funding, immigration services will be eliminated starting 2004/2005.
- The province will continue to fund legal aid as per the MOU agreement (when signed).

Risks and sensitivities

- Unanticipated increases in the volume of cases.*
- The costs and/or timing of exceptional cases are difficult to forecast.
- Inflationary pressures.

* In the past, events such as the arrival of a large number of refugees and the simultaneous arrest of a significant number of protestors have created sudden increases in the volume of cases.

Map of Legal Aid Offices



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